

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NO. 03 CV 12307 RGS

JOSEPH CHRISTOFORO,)
Plaintiff.)
VS.)
) MOTION TO STAY SUMMARY
JULIO LUPO,) JUDGMENT PROCEEDINGS PENDING
FRANK G. COUSINS, JR.,) COMPLETION OF DISCOVERY
INDIVIDUALLY AND IN)
HIS CAPACITY AS)
ESSEX COUNTY SHERIFF, and)
CERTAIN UNKNOWN)
INDIVIDUALS,)
Defendants.)

Now comes the Plaintiff and respectfully requests this Honorable Court to stay the hearing on the Defendant's Motion for Summary Judgment pending the completion of discovery.

In support of said motion, the Plaintiff assigns the following:

1. That the Plaintiff has previously noticed the deposition of the Defendant, Sheriff Cousins, but due to the scheduling difficulties, this deposition has not yet taken place;
2. That the deposition of the Defendant is essential to a fair hearing on the instant motion for summary judgment.

Respectfully submitted,
Plaintiff,
JOSEPH CHRISTOFORO,
By his attorney,

/s/ Edward J. McCormick
Edward J. McCormick, III
GILMORE, REES, CARLSON &
CATALDO, P.C.
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Date: _____